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Letter dated 19 June 2009 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council

I have the honour to attach herewith the sensitive list of dual-use goods and technologies of the Wassenaar Arrangement. I should be grateful if the list could be published as a document of the Security Council.

(*Signed*) Yukio **Takasu**
Permanent Representative of Japan to the United Nations

09-37557 (E) 220609

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Annex to the letter dated 19 June 2009 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council

THE SENSITIVE LIST OF DUAL-USE GOODS AND TECHNOLOGIES

N.B. *Where abbreviated entries are used, see the List of Dual-Use Goods and Technologies for full details. Text that differs from that in the List of Dual-Use Goods and Technologies is* ***shaded****.*

Category 1

1.A.2.	"Composite" structures or laminates...
1.C.1.	Materials specially designed for use as absorbers of electromagnetic waves...
1.C.7.c. & 1.C.7.d.	Ceramic-ceramic "composite" materials...
1.C.10.c. & 1.C.10.d.	"Fibrous or filamentary materials"...
1.C.12.	Materials as follows...
1.D. 2	"Software" for the "development" of organic "matrix", metal "matrix" or carbon "matrix" laminates or "composites" **specified by this List**.
1.E.1.	"Technology" according to the General Technology Note for the "development" or "production" of equipment and materials specified by **1.A.2. or 1.C. of this List**.
1.E. 2.e. & 1.E.2.f.	Other "technology"...

Category 2

2.B.1.a.	Not used since 2002
2.B.1.b.	Not used since 2002
2.B.1.d.	Not used since 2002
2.B.1.f.	Not used since 2002
2.B.3.	Not used since 2002
2.D.1.	**"Software", other than that specified by 2.D.2., specially designed for the "development" or "production" of equipment as follows:**

a. Machine tools for turning having all of the following:
   1. Positioning accuracy with "all compensations available" equal to or less (better) than **3.6** µm according to ISO 230/2 (1997) or national equivalents along any linear axis; and
   2. Two or more axes which can be coordinated simultaneously for "contouring control".

Sensitive List

Category 2 contd.

2.D.1.

b. Machine tools for milling having any of the following:
   1.a. Positioning accuracy with "all compensations available" equal to or less (better) than **3.6 µm** according to ISO 230/2 (1997) or national equivalents along any linear axis; and
   b. Three linear axes plus one rotary axis which can be coordinated simultaneously for "contouring control";

   2. Five or more axes which can be coordinated simultaneously for "contouring control" **and have a positioning accuracy with "all compensations available" equal to or less (better) than 3.6 µm according to ISO 230/2 (1997) or national equivalents along any linear axis; or**

   3. A positioning accuracy for jig boring machines, with "all compensations available", equal to or less (better) than 3 µm according to ISO 230/2 (1997) or national equivalents along any linear axis;

c. Electrical discharge machines (EDM) as specified in 2.B.1.d.

d. Deep-hole-drilling machines as specified in 2.B.1.f.

e. "Numerically controlled" or manual machine tools as specified in 2.B.3.

2.E.1.

"Technology" according to the General Technology Note for the "development" of "software" specified by 2.D. of this List or for the "development" of equipment as follows:

a. Machine tools for turning having all of the following:
   1. Positioning accuracy with "all compensations available" equal to or less (better) than **3.6 µm** according to ISO 230/2 (1997) or national equivalents along any linear axis; and
   2. Two or more axes which can be coordinated simultaneously for "contouring control".

Sensitive List

Category 2 contd.

2.E.1.

b. Machine tools for milling having any of the following:
   1.a. Positioning accuracy with "all compensations available" equal to or less (better) than **3.6 µm** according to ISO 230/2 (1997) or national equivalents along any linear axis; and
   b. Three linear axes plus one rotary axis which can be coordinated simultaneously for "contouring control";

   2. Five or more axes which can be coordinated simultaneously for "contouring control" **and have a positioning accuracy with "all compensations available" equal to or less (better) than 3.6 µm according to ISO 230/2 (1997) or national equivalents along any linear axis; or**

   3. A positioning accuracy for jig boring machines, with "all compensations available", equal to or less (better) than 3 µm according to ISO 230/2 (1997) or national equivalents along any linear axis;

c. Electrical discharge machines (EDM) as specified in 2.B.1.d.

d. Deep-hole-drilling machines as specified in 2.B.1.f.

e. "Numerically controlled" or manual machine tools as specified in 2.B.3.

2.E.2.

"Technology" according to the General Technology Note for the "production" of equipment **as follows:**

a. Machine tools for turning having all of the following:
   1. Positioning accuracy with "all compensations available" equal to or less (better) than **3.6 µm** according to ISO 230/2 (1997) or national equivalents along any linear axis; and
   2. Two or more axes which can be coordinated simultaneously for "contouring control".

Sensitive List

Category 2 contd.

2.E.2.

b. Machine tools for milling having any of the following:
   1.a. Positioning accuracy with "all compensations available" equal to or less (better) than **3.6 µm** according to ISO 230/2 (1997) or national equivalents along any linear axis; and
   b. Three linear axes plus one rotary axis which can be coordinated simultaneously for "contouring control";

   2. Five or more axes which can be coordinated simultaneously for "contouring control" **and have a positioning accuracy with "all compensations available" equal to or less (better) than 3.6 µm according to ISO 230/2 (1997) or national equivalents along any linear axis**; or

   3. A positioning accuracy for jig boring machines, with "all compensations available", equal to or less (better) than 3 µm according to ISO 230/2 (1997) or national equivalents along any linear axis;

c. Electrical discharge machines (EDM) as specified in 2.B.1.d.

d. Deep-hole-drilling machines as specified in 2.B.1.f.

e. "Numerically controlled" or manual machine tools as specified in 2.B.3.

Category 3

3.A.2.g.1. Atomic frequency standards... "Space qualified"

3.B.1.a.2. Metal Organic Chemical Vapour Deposition (MOCVD) reactors...

3.D.1. "Software" specially designed for the "development" or "production" of equipment specified by **3.A.2.g. or 3.B. of this List.**

3.E.1. "Technology" according to the General Technology Note for the "development" or "production" of equipment specified by **3.A. or 3.B. of this List.**

Sensitive List

Category 4

4.A.1.a.2.	Electronic computers...radiation hardened...
4.A.3.b.	Not used since 2002
4.A.3.c.	Not used since 2001
4.D.1.	**"Software" specially designed for the "development" or "production" of equipment specified by 4.A. of this List or for the "development" or "production" of "digital computers" having an "Adjusted Peak Performance" ("APP") exceeding 0.1 Weighted TeraFLOPS (WT).**
4.E.1.	**"Technology" according to the General Technology Note for the "development" or "production" of any of the following equipment or "software":** **- Equipment specified by 4.A. of this List;** **- "Digital computers" having an "Adjusted Peak Performance" ("APP") exceeding 0.1 Weighted TeraFLOPS (WT); or** **- "Software" specified by 4.D. of this List.**

Category 5 - Part 1

5.A.1.b.3.	Being radio equipment...
5.A.1.b.5.	Being digitally controlled radio receivers...
5.B.1.a.	Equipment and specially designed components or accessories therefor, specially designed for the "development", "production" or "use" of equipment, functions or features in 5.A.1. **of this List.**
5.D.1.a.	**"Software" specially designed for the "development" or "production" of equipment, functions or features, specified by 5.A.1. of this List.**
5.D.1.b.	"Software" specially designed or modified to support "technology" specified by 5.E.1. **of this List.**
5.E.1.a.	**"Technology" according to the General Technology Note for the "development" or "production" of equipment, functions or features specified by 5.A.1. or "software" specified by 5.D.1.a. of this List.**

Category 5 - Part 2 - None

Sensitive List

Category 6

6.A.1.a.1.b.	Object detection or location systems, having any of the following: 1. A transmitting frequency below **5 kHz or a sound pressure level exceeding 224 dB (reference 1 µPa at 1 m) for equipment with an operating frequency in the band from 5 kHz to 10 kHz inclusive**; 2. Sound pressure level exceeding 224 dB… 3. Sound pressure level exceeding 235 dB… 4. Forming beams of… 5. Designed to operate… 6. Designed to withstand…
6.A.1.a.2.a.1.	Hydrophones...Incorporating…
6.A.1.a.2.a.2.	Hydrophones...Incorporating flexible assemblies…
6.A.1.a.2.a.3.	Hydrophones...Having any...
6.A.1.a.2.a.5.	Hydrophones...Designed to operate...
6.A.1.a.2.a.6.	Hydrophones...Designed for...
6.A.1.a.2.b.	Towed acoustic hydrophone arrays...
6.A.1.a.2.c.	Processing equipment, specially designed for **real time application with** towed acoustic hydrophone arrays, having "user accessible programmability" and time or frequency domain processing and correlation, including spectral analysis, digital filtering and beamforming using Fast Fourier or other transforms or processes;
6.A.1.a.2.d.	Heading sensors...
6.A.1.a.2.e.	Bottom or bay cable systems, having any of the following: 1. Incorporating hydrophones... or 2. Incorporating multiplexed hydrophone group signal modules…
6.A.1.a.2.f.	Processing equipment, specially designed for **real time application with** bottom or bay cable systems, having "user accessible programmability" and time or frequency domain processing and correlation, including spectral analysis, digital filtering and beamforming using Fast Fourier or other transforms or processes.
6.A.2.a.1.a., b., c. and d.	"Space-qualified" solid-state detectors...

Sensitive List

Category 6 contd.

6.A.2.a.2.a. Image intensifier tubes ...
1. A peak response...
2. Electron image amplification...
3. Photocathodes, as follows:
   a. Multialkali photocathodes (e.g., S-20 and S-25) having a luminous sensitivity exceeding 700 µA/lm;
   b. GaAs or GaInAs photocathodes;
   c. Other "III/V compound" semiconductor photocathodes.

6.A.2.a.2.b. Image intensifier tubes...

6.A.2.a.3. Non-space qualified "focal plane arrays"...;

Note 3

6.A.2.a.3. does not apply to the following "focal plane arrays" in this List:

a. Platinum Silicide (PtSi) "focal plane arrays" having less than 10,000 elements;

b. Iridium Silicide (IrSi) "focal plane arrays".

Note 4

6.A.2.a.3. does not apply to the following "focal plane arrays" in this List:

a. Indium Antimonide (InSb) or Lead Selenide (PbSe) "focal plane arrays" having less than 256 elements;

b. Indium Arsenide (InAs) "focal plane arrays";

c. Lead Sulphide (PbS) "focal plane arrays";

d. Indium Gallium Arsenide (InGaAs) "focal plane arrays".

Note 5

6.A.2.a.3. does not apply to Mercury Cadmium Telluride (HgCdTe) "focal plane arrays" as follows in this List:

a. 'Scanning Arrays' having any of the following:
   1. 30 elements or less; or
   2. Incorporating time delay-and-integration within the element and having 2 elements or less;

b. 'Staring Arrays' having less than 256 elements.

Technical Notes

1. 'Scanning Arrays' are defined as "focal plane arrays" designed for use with a scanning optical system that images a scene in a sequential manner to produce an image;

2. 'Staring Arrays' are defined as "focal plane arrays" designed for use with a non-scanning optical system that images a scene.

Sensitive List

Category 6 contd.

6.A.2.a.3.

Note 6

6.A.2.a.3. does not apply to the following "focal plane arrays" in this List:

a. Gallium Arsenide (GaAs) or Gallium Aluminum Arsenide (GaAlAs) quantum well "focal plane arrays" having less than 256 elements;

b. Microbolometer "focal plane arrays" having less than 8,000 elements.

Note 7

6.A.2.a.3.g. does not apply to the linear (1-dimensional) "focal plane arrays" specially designed or modified to achieve 'charge multiplication' having 4,096 elements or less.

Note 8

6.A.2.a.3.g. does not apply to the non-linear (2-dimensional) "focal plane arrays" specially designed or modified to achieve 'charge multiplication' having a maximum linear dimension of 4,096 elements and a total of 250,000 elements or less.

6.A.2.b. "Monospectral imaging sensors" and "multispectral imaging sensors"...

6.A.2.c. 'Direct view' imaging equipment incorporating any of the following:

1. Image intensifier tubes having the characteristics listed in 6.A.2.a.2.a. or 6.A.2.a.2.b. of this List;
2. "Focal plane arrays" having the characteristics listed in 6.A.2.a.3. of this List; or
3. Solid-state detectors having the characteristics listed in 6.A.2.a.1.;

6.A.2.e. "Space-qualified" "focal plane arrays"....

6.A.3.b.3. Imaging cameras incorporating image intensifier tubes having the characteristics listed in 6.A.2.a.2.a. or 6.A.2.a.2.b. of this List;

6.A.3.b.4. Imaging cameras incorporating "focal plane arrays" having any of the following:

a. Incorporating "focal plane arrays" specified by 6.A.2.a.3.a. to 6.A.2.a.3.e. of this List;

b. Incorporating "focal plane arrays" specified by 6.A.2.a.3.f. of this List; or

c. Incorporating "focal plane arrays" listed in 6.A.2.a.3.g. of this List.

Sensitive List

Category 6 contd.

6.A.3.b.4.

Note 1 *'Imaging cameras' described in 6.A.3.b.4. include "focal plane arrays" combined with sufficient "signal processing" electronics, beyond the read out integrated circuit, to enable as a minimum the output of an analogue or digital signal once power is supplied.*

Note 2 *6.A.3.b.4.a. does not apply to imaging cameras incorporating linear "focal plane arrays" with 12 elements or fewer, not employing time-delay-and-integration within the element and designed for any of the following:*

a. Industrial or civilian intrusion alarm, traffic or industrial movement control or counting systems;

b. Industrial equipment used for inspection or monitoring of heat flows in buildings, equipment or industrial processes;

c. Industrial equipment used for inspection, sorting or analysis of the properties of materials;

d. Equipment specially designed for laboratory use; or

e. Medical equipment.

Note 3 *6.A.3.b.4.b. does not apply to imaging cameras having any of the following:*

a. A maximum frame rate equal to or less than 9 Hz ;

b. Having all of the following:

1. Having a minimum horizontal or vertical 'Instantaneous-Field-of-View (IFOV)' of at least 10 mrad/pixel (milliradians/pixel);

2. Incorporating a fixed focal-length lens that is not designed to be removed;

3. Not incorporating a 'direct view' display; and

Technical Note

'Direct view' refers to an imaging camera operating in the infrared spectrum that presents a visual image to a human observer using a near-to-eye micro display incorporating any light-security mechanism.

4. Having any of the following:

a. No facility to obtain a viewable image of the detected field-of-view; or

b. The camera is designed for a single kind of application and designed not to be user modified; or

Sensitive List

Category 6 contd. *Note 3 to 6.A.3.b.4.b. cont.*

Technical Note

'Instantaneous Field of View (IFOV)' specified in Note 3.b. is the lesser figure of the 'Horizontal FOV' or the 'Vertical FOV'.

'Horizontal IFOV' = horizontal Field of View (FOV)/number of horizontal detector elements

'Vertical IFOV'= vertical Field of View (FOV)/number of vertical detector elements.

c. The camera is specially designed for installation into a civilian passenger land vehicle of less than 3 tonnes (gross vehicle weight) and having all of the following:

1. Is only operable when installed in any of the following:

a. The civilian passenger land vehicle for which it was intended; or

b. A specially designed, authorized maintenance test facility; and

2. Incorporates an active mechanism that forces the camera not to function when it is removed from the vehicle for which it was intended.

Note When necessary, details of the item will be provided, upon request, to the appropriate authority in the exporter's country in order to ascertain compliance with the conditions described in Note 3.b.4. and Note 3.c. above.

Note 4 6.A.3.b.4.c. does not apply to 'imaging cameras' having any of the following characteristics:

a. Having all of the following:

1. Where the camera is specially designed for installation as an integrated component into indoor and wall-plug-operated systems or equipment, limited by design for a single kind of application, as follows:

a. Industrial process monitoring, quality control, or analysis of the properties of materials;

b. Laboratory equipment specially designed for scientific research;

c. Medical equipment; or

d. Financial fraud detection equipment; and

2. Is only operable when installed in any of the following:

a. The system(s) or equipment for which it was intended; or

b. A specially designed, authorised maintenance facility; and

3. Incorporates an active mechanism that forces the camera not to function when it is removed from the system(s) or equipment for which it was intended;

Sensitive List

Category 6 contd. *Note 4 to 6.A.3.b.4.c. cont.*

b. Where the camera is specially designed for installation into a civilian passenger land vehicle of less than three tonnes (gross vehicle weight), or passenger and vehicle ferries having a length overall (LOA) 65 m or greater, and having all of the following:

1. Is only operable when installed in any of the following:

a. The civilian passenger land vehicle or passenger and vehicle ferry for which it was intended; or

b. A specially designed, authorised maintenance test facility; and

2. Incorporates an active mechanism that forces the camera not to function when it is removed from the vehicle for which it was intended;

c. Limited by design to have a maximum radiant sensitivity of 10 mA/W or less for wavelengths exceeding 760 nm, having all of the following:

1. Incorporating a response limiting mechanism designed not to be removed or modified; and

2. Incorporates an active mechanism that forces the camera not to function when the response limiting mechanism is removed; or

d. Having all of the following:

1. Not incorporating a 'direct view' or electronic image display;

2. Has no facility to output a viewable image of the detected field of view;

3. The "focal plane array" is only operable when installed in the camera for which it was intended; and

4. The "focal plane array" incorporates an active mechanism that forces it to be permanently inoperable when removed from the camera for which it was intended.

Note When necessary, details of the item will be provided, upon request, to the appropriate authority in the exporter's country in order to ascertain compliance with the conditions described in Note 4 above.

6.A.3.b.5. Imaging cameras incorporating solid-state detectors specified by 6.A.2.a.1.;

Sensitive List

Category 6 contd.

6.A.4.c.	"Space-qualified" components for optical systems...
6.A.4.d.	Optical control equipment...
6.A.6.a.	Not used since 2006
6.A.6.a.1.	"Magnetometers"... Using "superconductive" (SQUID) "technology"...
6.A.6.a.2.	"Magnetometers" ... Using optically pumped or nuclear precession (proton/Overhauser) "technology" having a 'sensitivity' lower (better) than **2pT rms per square root Hz**;
6.A.6.c.1.	"Magnetic gradiometers" using multiple "magnetometers" specified by 6.A.6.a.1. or 6.A.6.a.2. of this List;
6.A.6.d.	"Compensation systems" **for the following:** **1. Magnetic sensors specified by 6.A.6.a.2. and using optically pumped or nuclear precession (proton/Overhauser) "technology" that will permit these sensors to realize a 'sensitivity' lower (better) than 2 pT rms per square root Hz.** **2. Underwater electric field sensors specified by 6.A.6.b.** **3. Magnetic gradiometers specified by 6.A.6.c. that will permit these sensors to realize a 'sensitivity' lower (better) than 3 pT/m rms per square root Hz.**
6.A.6.g.	Not used since 2006
6.A.6.h.	Not used since 2006
6.A.8.d.	Radar systems...Capable of...
6.A.8.h.	Radar systems...Employing processing...
6.A.8.k.	Radar systems...Having "signal processing"...
6.A.8.l.3.	Radar systems... Having data processing... Processing for...
6.B.8.	Pulse radar cross-section...
6.D.1.	"Software" specially designed for the "development" or "production" of equipment specified by **6.A.4., 6.A.8. or 6.B.8. of this List.**
6.D.3.a.	"Software", as follows:...
6.E.1.	"Technology" according to...
6.E.2.	"Technology" according to the General Technology Note for the "production" of equipment specified by **6.A. or 6.B. of this List.**

Sensitive List

Category 7

7.D.2.	"Source code" for the "use"...
7.D.3.a.	"Software" specially designed or modified to...
7.D.3.b.	"Source code" for...
7.D.3.c.	"Source code" for...
7.D.3.d.1. to 4. & 7.	"Source code" for the "development" of...
7.E.1. & 7.E.2.	"Technology" according to the General Technology Note...

Category 8

8.A.1.b.	Manned, untethered submersible vehicles...
8.A.1.c.	Unmanned, tethered submersible vehicles...
8.A.1.d.	Unmanned, untethered submersible vehicles...
8.A.2.b.	Systems specially designed or modified for the automated control of the motion of submersible vehicles **specified by 8.A.1. of this List** using navigation data having closed loop servo-controls and having any of the following: 1. Enabling... 2. Maintaining... 3. Maintaining...
8.A.2.h.	"Robots" specially designed for underwater use...
8.A.2.j.	Air independent power systems...
8.A.2.o.3.	Noise reduction systems for use on vessels...
8.A.2.p.	Pumpjet propulsion systems...
8.D.1.	**"Software" specially designed for the "development" or "production" of equipment in 8.A. of this List.**
8.D.2	Specific "software"...
8.E.1.	"Technology" according to the General Technology Note for the "development" or "production" of equipment specified by **8.A. of this List**.
8.E.2.a.	Other "technology"...

Sensitive List

Category 9

9.A.11.	Ramjet, scramjet or combined cycle engines...
9.B.1.b.	Ceramic cores or shells.
9.D.1.	"Software" specially designed or modified for the "development" of equipment or "technology", specified by **9.A., 9.B. or 9.E.3. of this List.**
9.D.2.	"Software" specially designed or modified for the "production" of equipment specified by **9.A. or 9.B. of this List**.
9.D.4.a.	Other "software"... 2D or 3D...
9.D.4.c.	Other "software"..."Software" specially...
9.E.1.	"Technology" according to the General Technology Note...
9.E.2.	"Technology" according to the General Technology Note...
9.E.3.a.1.	Other "technology"...Gas turbine blades...
9.E.3.a.2. to 5. & 9.E.3.a.8. & 9.	Other "technology"...

Very Sensitive List

VERY SENSITIVE LIST OF DUAL-USE GOODS AND TECHNOLOGIES

N.B. *Where abbreviated entries are used, see List of Dual-Use Goods and Technologies for full details. Text that differs from that in the List of Dual-Use Goods and Technologies is* ***shaded****.*

Category 1	
1.A.2.a.	**"Composite" structures or laminates consisting of an organic "matrix" and materials specified by 1.C.10.c. or 1.C.10.d.**
1.C.1.	Materials specially designed for use as absorbers of electromagnetic waves...
1.C.12.	Materials as follows...
1.E.1.	"Technology" according to the General Technology Note for the "development" or "production" of equipment and materials specified by **1.A.2 or 1.C. of this List**.
Category 2	None
Category 3	None
Category 4	None
Category 5 - Part 1	
5.A.1.b.5.	Digitally controlled radio receivers...
5.D.1.a.	**"Software" specially designed for the "development" or "production" of equipment, functions or features specified by Category 5, Part 1 of this List.**
5.E.1.a.	**"Technology" according to the General Technology Note for the "development" or "production" of equipment, functions, features or "software" specified by Category 5, Part 1 of this List.**
Category 5 - Part 2	None

Very Sensitive List

Category 6

6.A.1.a.1.b.1.	**Object detection or location systems, having a sound pressure level exceeding 210 dB (reference 1 μPa at 1 m) and an operating frequency in the band from 30 Hz to 2 kHz.**
6.A.1.a.2.a.1.	Hydrophones...Incorporating...
6.A.1.a.2.a.2.	Hydrophones...Incorporating flexible assemblies...
6.A.1.a.2.a.3.	Hydrophones...Having any...
6.A.1.a.2.a.5.	Hydrophones...Designed to operate ...
6.A.1.a.2.a.6.	Hydrophones...Designed for...
6.A.1.a.2.b.	Towed acoustic hydrophone arrays...
6.A.1.a.2.c.	Processing equipment, specially designed for **real time application with** towed acoustic hydrophone arrays, having "user accessible programmability" and time or frequency domain processing and correlation, including spectral analysis, digital filtering and beamforming using Fast Fourier or other transforms or processes;
6.A.1.a.2.e.	Bottom or bay cable systems having any of the following: 1. Incorporating hydrophones... or 2. Incorporating multiplexed hydrophone group signal modules ...
6.A.1.a.2.f.	Processing equipment, specially designed for **real time application with** bottom or bay cable systems, having "user accessible programmability" and time or frequency domain processing and correlation, including spectral analysis, digital filtering and beamforming using Fast Fourier or other transforms or processes;
6.A.2.a.1.c.	"Space-qualified" solid-state detectors...
6.A.8.1.3.	Radar systems...Having data processing... Processing for...
6.B.8.	Pulse radar cross-section...
6.D.1.	"Software" specially designed for the "development" or "production" of equipment specified by **6.A.8., or 6.B.8. of this List.**
6.D.3.a.	"Software", as follows: ...
6.E.1.	"Technology" according to the General Technology Note for the "development" of **equipment or "software" specified by 6.A., 6.B., or 6.D. of this List.**
6.E.2.	"Technology" according to the General Technology Note for the "production" of equipment specified by **6.A. or 6.B. of this List**.

Very Sensitive List

Category 7

7.D.3.a.	"Software" specially designed or modified to...
7.D.3.b.	"Source code" for...

Category 8

8.A.1.b.	Manned, untethered submersible vehicles...
8.A.1.d.	Unmanned, untethered submersible vehicles...
8.A.2.o.3.b.	Active noise reduction or cancellation systems...
8.D.1.	**"Software" specially designed for the "development" or "production" of equipment specified by 8.A. of this List.**
8.E.1.	"Technology" according to the General Technology Note for the "development" or "production" of equipment specified by **8.A. of this List.**

Category 9

9.A.11.	Ramjet, scramjet or combined cycle engines...
9.D.1.	"Software" specially designed or modified for the "development" of equipment or "technology" specified by **9.A. or 9.E.3. of this List.**
9.D.2.	"Software" specially designed or modified for the "production" of equipment specified by **9.A. of this List**.
9.E.1.	"Technology" according to the General Technology Note for the "development" of equipment or "software" specified by **9.A.11. or 9.D. of this List.**
9.E.2.	"Technology" according to the General Technology Note for the "production" of equipment specified by **9.A.11. of this List**.
9.E.3.a.1.	Other "technology"...Gas turbine blades...
9.E.3.a.3.a.	"Technology" "required" for ... Components manufactured from... Organic "composite" materials designed to operate above 588 K (315°C).

United Nations S/2009/317

Security Council

Distr.: General
19 June 2009
English
Original: Arabic

Letter dated 18 June 2009 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

I must inform you and, through you, the other members of the Security Council, that hostile aircraft repeatedly violated Sudanese airspace from the west, as follows:

1. On Saturday, 6 June 2009, at 6 p.m., two Jaguar warplanes penetrated some 30 to 40 kilometres into Sudanese airspace in the area of Forobaranga (coordinates 120800-223500).

2. Later on the above-mentioned date, at 9 p.m., two Jaguar warplanes penetrated some 40 to 50 kilometres into Sudanese airspace in the area of Um Dafog (coordinates 102724-231831).

3. On Thursday, 11 June 2009, two Jaguar warplanes penetrated some 30 to 40 kilometres into Sudanese airspace in the area of Tine (coordinates 150000-224900).

Although the Government of the Sudan is drawing the Council's attention to the flagrant and repeated violations of Sudanese airspace, it nonetheless emphasizes that it reserves its sovereign and legitimate right to respond decisively to such reckless undertakings and provocations.

Finally, I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Abdalmahmood Abdalhaleem **Mohamad**
Permanent Representative of the Republic of the Sudan
to the United Nations

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Please recycle

United Nations S/2009/318

Security Council

Distr.: General
22 June 2009

Original: English

Letter dated 19 June 2009 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Upon instructions from my Government, I have the honour to enclose herewith a joint press advisory on the second meeting of the strengthened High-level Committee on humanitarian affairs (see annex), signed in Khartoum on 17 June 2009 by the Representative of the Government of the Republic of the Sudan and the United Nations Resident Coordinator and Humanitarian Coordinator.

I would highly appreciate it if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Abdalmahmood Abdalhaleem **Mohamad**
Permanent Representative

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Annex to the letter dated 19 June 2009 from the Permanent Representative of the Sudan to the United Nations addressed to the President of the Security Council

Joint press advisory on the second meeting of the strengthened High-level Committee, Khartoum, 17 June 2009

The second High-level Committee meeting, following Ministerial Decree No. 4 of 2 May 2009, was held today at Friendship Hall, Khartoum. The meeting was co-chaired by H.E. Harun Lual, Minister for Humanitarian Affairs, and Ameerah Haq, United Nations Resident Coordinator and Humanitarian Coordinator. Other participants included senior officials of the Government of National Unity and the international community, including representatives from non-governmental organizations (NGOs), the African Union, the League of Arab States, China, Russia, the United States, the United Kingdom and the European Community.

The meeting was positive, building on the constructive dialogue established at the first meeting, on 7 May, between the Government of the Sudan and the international humanitarian community. Committee members commended the progress made since the last meeting towards joint efforts to address humanitarian issues.

The Committee approved new terms of reference for the High-level Committee towards a predictable, less bureaucratic and more accountable and efficient aid system in Darfur. As agreed by all members in the last meeting, humanitarian action, including relief and early recovery programmes, needs to take place in a rules-based environment in the letter and spirit envisaged in the 2004 Moratorium (see S/2004/635, annex) and the 2007 Joint Communiqué, and as reaffirmed by the Ministerial Decrees issued on 16 April and 2 May 2009. As such, the High-level Committee will be the primary forum enabling the Government of National Unity and the international community to discuss policy and operational matters about humanitarian programmes.

The twelfth progress report on the Tripartite Joint Technical Committee (TJTC) was presented. The Committee appreciated the 11 June visit to the Joint Procedures Centre, which enhanced members' knowledge of the TJTC's current functions, issues and challenges. Joint workshops on the general directory of procedures are ongoing. In July the online database for tracking procedures will be launched, which will enable NGOs to submit annual and biannual reports.

The Committee also presented the latest updates in the key life saving sectors of health and nutrition, water, sanitation, hygiene (WASH) and food. In all sectors the joint work done was commended and appreciated. However, concerns about delayed and insufficient funds from government and donors were also expressed. Key findings in the health sector show that while the situation has improved it is still precarious with health gaps in Southern Darfur, nutrition gaps in Western Darfur and concerns surrounding strategies so operations can continue to be sustained. In the water and sanitation sector, the Committee noted there was an improvement in water quality, however concerns still exist in effectively addressing the gaps in sanitation and hygiene. In the food sector the May/June distributions are ongoing. A further 102,000 metric tons have been prepositioned for the rainy season in Darfur for the period July to September.

In addition the meeting agreed to accept the concept of the expansion of other sectors. It was agreed that the priority sectors of education, agriculture, including animal resources, livelihoods and protection be addressed first.

The meeting concluded with a summary of the High-level Committee visit to Northern Darfur. All members expressed appreciation for the trip. The need for a political solution that would bring peace and security was stressed. The visiting team noted that a crisis had been averted through the efforts of the Government of the Sudan; the United Nations and partners but highlighted that some gaps remain particularly as the rainy season approaches.

All members agreed that field visits are extremely useful. Future visits will focus on one state (capital and rural areas) with the next trip scheduled to take place to Southern Darfur before the next meeting.

The High-level Committee will meet again in one month.

(*Signed*) Harun **Lual**
Minister for Humanitarian Affairs

(*Signed*) Ameerah **Haq**
United Nations Resident Coordinator
and Humanitarian Coordinator

United Nations S/2009/319

Security Council

Distr.: General
22 June 2009
English
Original: French

Letter dated 19 June 2009 from the Permanent Representative of Djibouti to the United Nations addressed to the President of the Security Council

It has now been a year since clashes took place between our armed forces and those of Eritrea along our common border. On 10 June 2008, Eritrea illegally invaded our territory, occupying Ras Doumeira and Doumeira Island. In the resulting clashes soldiers were killed, wounded and taken prisoner.

Since the outbreak of hostilities, international and regional organizations, the Secretary-General of the United Nations, the African Union, the League of Arab States, the Organization of the Islamic Conference, the Intergovernmental Authority on Development, friendly States and personalities have all offered to mediate and worked to find a peaceful solution to the border conflict. Those initiatives were rejected by the authorities of Eritrea. The end result was the adoption of Security Council resolution 1862 (2009).

The Members of the Security Council welcomed the efforts of the international, regional and subregional organizations to assist the parties in reaching a negotiated solution.

Since the withdrawal of Djibouti's forces from the conflict zone as requested by the Security Council, new developments have been reported in the Ras Doumeira and Doumeira Island area.

Eritrea has boosted the strength of its occupation forces in the area. Those forces have even undertaken significant construction work, which suggests that they intend to make permanent their military installations on Ras Doumeira and Doumeira Island.

In the course of this year, the Security Council has spared no effort in calling on Eritrea to comply with Security Council resolution 1862 (2009). Six months after its adoption on 14 January 2009, the resolution has still not been implemented.

The Members of the Security Council unanimously demanded that Eritrea comply immediately with paragraph 5 of the resolution, including by withdrawing its forces and all their equipment no later than five weeks after the adoption of the resolution.

The Asmara authorities rejected the resolution the very next day after its adoption, describing it as an ill-considered, unbalanced and unnecessary resolution against Eritrea.

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By virtue of resolution 1862 (2009), the Security Council requested the Secretary-General to provide to it a report on the evolution of the situation, and on the compliance by both parties with their obligations, no later than six weeks after the adoption of the resolution.

At the same time, other organizations reiterated their support for the Security Council. In particular, the African Union called for the speedy implementation of resolution 1862 (2009), and requested the Commission to maintain consultations with the United Nations and other stakeholders with a view of contributing to the early resolution of the conflict.

On 30 March 2009, the Secretary-General indicated in a two-page letter (S/2009/163) that Eritrea had not complied with the various requests contained in the resolution. He requested more time in order to pursue contacts with regional parties and organizations.

The most recent consultation with a senior official of the Department of Political Affairs was held on 26 April 2009 by the Permanent Representative of Mexico, who was President of the Security Council for that month. Although the original deadline had already been extended, the senior official asked the Security Council for a few additional weeks in order to provide a more detailed report and engage discussions with the Eritrean party. Although two months have now passed since that date, we have not yet received any information from the Secretariat concerning the follow-up to that request.

Moreover, our patience is really wearing thin, and our love of peace and security in the region cannot induce us to wait indefinitely.

We are well aware of Eritrea's official position, which has been expressed time and time again. In particular, Eritrea reacted to the final document of the recent Ministerial Meeting of the Coordinating Bureau of the Non-Aligned Movement, which supported Security Council resolution 1862 (2009), by stating that it was not occupying an inch of Djiboutian territory and had no claim over Djiboutian territory (see the Eritrean statement annexed to this letter).

Can one still hope for an irrevocable position such as this one to be softened?

In conclusion, the foregoing information is meant to draw your attention to the fact that to this day, a part of our territory remains under Eritrean occupation, strongly suggesting Eritrea's intention to stay in that part of our territory for good.

The Republic of Djibouti has thus far shown considerable patience. My Government therefore requests that action should be taken on this matter as soon as possible.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Robert **Olhaye**

Annex to the letter dated 19 June 2009 from the Permanent Representative of Djibouti to the United Nations addressed to the President of the Security Council

[Original: English]

Reservation by the delegation of the State of Eritrea on paragraph 239 of the Final Document of the Ministerial Meeting of the Coordinating Bureau of the Non-Aligned Movement, Havana, 29/30 April 2009

The delegation of Eritrea has strongly objected to the inclusion of the above-mentioned paragraph in the Final Document of the Ministerial Meeting. Eritrea objects to the paragraph for the following reasons:

- The so-called border conflict is non-existent. It was fabricated to divert Eritrea from its efforts to reclaim its territories which remain under the illegal occupation of Ethiopia years after the final and binding demarcation of the border between the two countries by the Eritrea-Ethiopia Boundary Commission.
- Eritrea has not occupied an inch of Djiboutian territory and does not have any claim over any Djiboutian territory. Therefore Eritrea is obliged to withdraw from its own sovereign territory.
- In these circumstances, any call for Eritrea to withdraw from its own territory is in violation of international law and the principle of the respect for the sovereignty and territorial integrity of States. Hence such a request is unacceptable under any circumstances.
- Accordingly, Eritrea has immediately opposed the resolution adopted by the United Nations Security Council on this issue. The resolution was drafted and pushed by France which has a military base in Djibouti and has officially taken sides against Eritrea.
- This fabricated "border conflict" and the diplomatic manoeuvring surrounding it is part and parcel of the diplomatic offensive against Eritrea orchestrated by the Bush administration and certain neighbouring countries with sinister motives.
- Even so, Eritrea's desire is to cultivate and maintain good-neighbourliness for the sake of regional peace and stability as demonstrated by its restraint from reciprocating and engaging in a hostile campaign against Djibouti.
- Eritrea wishes to underline again that it will not be plunged — through provocations, enticements and other false accusations — into this fabricated crisis to become a scapegoat for the failed misguided policies of certain countries in our region.

Ministry of Foreign Affairs
Asmara, Eritrea

7 May 2009

United Nations S/2009/320

Security Council

Distr.: General
22 June 2009

Original: English

Draft resolution

The Security Council,

Having considered the report of the Secretary-General on the United Nations Disengagement Observer Force of 8 June 2009 (S/2009/295), and also reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Welcomes* the efforts being undertaken by the United Nations Disengagement Observer Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

3. *Decides* to renew the mandate of the United Nations Disengagement Observer Force for a period of six months, that is, until 31 December 2009;

4. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338 (1973).

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United Nations A/63/888–S/2009/321

General Assembly
Security Council

Distr.: General
22 June 2009

Original: English

General Assembly
Sixty-third session
Agenda item 21
Question of Cyprus

Security Council
Sixty-fourth year

Letter dated 19 June 2009 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 18 June 2009, addressed to me in my capacity as President of the Security Council for the month of June, by Kemal Gökeri, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 21, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

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Annex to the letter dated 19 June 2009 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

It has come to our attention that the representative of the Greek Cypriot administration of Southern Cyprus in New York addressed a letter to the President of the Security Council on 5 June 2009 (S/2009/296), in which he distorts the realities of Cyprus and slanders the Turkish side.

At the outset, I wish to note that Turkey's vote against Security Council resolution 1873 (2009) should come as no surprise to anyone concerned with the Cyprus question. Successive resolutions of the Council on Cyprus have not been accepted by the Turkish side on account of the references made in these resolutions to the "Government of Cyprus" which is, in fact, solely a Greek Cypriot administration. This erroneous approach to consider the Greek Cypriot side as the "Government of Cyprus", since Council resolution 186 (1964), constitutes the crux of the Cyprus question.

I would like to remind the Greek Cypriot representative that it was his own leader, the late Archbishop Makarios, who had confirmed that there exists no "Cypriot" nation (in the Greek Cypriot daily newspaper *Cyprus Mail* of 28 March 1963). I also would like to refresh the representative's memory on the fact that the Republic of Cyprus was founded in 1960 in accordance with international treaties by the Turkish Cypriot and Greek Cypriot peoples, in their respective capacities as two political equals, who entered into a partnership, setting up a joint State. Hence the provisions in the now-defunct 1960 Constitution for a Greek Cypriot President and Turkish Cypriot Vice-President, their separate veto rights and the separate majorities in the elections. The legitimacy of the 1960 Republic lay in the joint presence and effective participation of Turkish Cypriots and Greek Cypriots in all organs of the State. Neither of the parties had the right to rule the other or assume the right to be the Government of the other or the island as a whole in the absence of the other in all organs of the State and its Government.

The partnership Republic of Cyprus was destroyed by the Greek Cypriot partner's onslaught on the Turkish Cypriot partner in December 1963, when all Turkish Cypriot members in all the State organs were forcibly ejected from their positions and the basic articles of the Constitution were unilaterally changed. Efforts of the Turkish Cypriot members of the House of Representatives to return to the House and take up their seats, and the refusal of the Greek Cypriot side to comply, are fully recorded in the report of the then Secretary-General of the United Nations as follows:

> "The Turkish Cypriot members requested UNFICYP to extend its good offices to enable them to receive information about the time of meeting of the House, and to make arrangements for the Turkish Cypriot members to attend such meetings in safety. They specified that, if officially invited and notified about matters to be considered, as required by the constitution, they would be prepared to attend Parliament on all questions, not only on the two bills now pending ... Mr. Clerides stated that unless the Turkish Cypriot members accepted the conditions [stripping them of their constitutional rights as copartners] laid down by him, he found it pointless to supply to them copies of the pending bills ... He made it plain that, unless agreement was reached on

> these matters, he would not permit the Turkish Cypriot members to attend the House ... He subsequently stated that in his opinion the Turkish Cypriot members had no legal standing any more in the House." (S/6569 and Corr.1)

In consequence, since December 1963 there has not been a joint central administration in the island, capable of representing the whole of Cyprus, either legally or factually. Each side has since ruled itself, while the Greek Cypriot side has continued to claim illegitimately that it is the "Government of Cyprus".

With regard to references by the Greek Cypriot representative to the "use of force" and "the establishment of an illegitimate regime", I would like to recall that the division of the island territorially, ethnically and administratively came about in 1963 as a direct consequence of the Greek Cypriot forceful attacks on the Turkish Cypriot people; hence the creation of the Green Line by the British contingent on the island and the arrival of the United Nations peacekeeping Force in Cyprus in 1964. It is also important to note that the Turkish intervention, which was carried out in accordance with Turkey's rights and obligations under the 1960 Treaty of Guarantee, did not come about until 1974 and was the direct result of the coup d'etat, carried out by the joint Greek-Greek Cypriot front, which aimed to annex the island to Greece and annihilate the Turkish Cypriot people in line with the notorious Akritas Plan. Therefore, contrary to the Greek Cypriot representative's claim, the only occupation in the island is the 46-year-long occupation of the seat of "Government of Cyprus" by the Greek Cypriot administration.

As for UNFICYP's presence on the island, although UNFICYP has played a valuable role, especially during 1963-1974, the fact that it could not prevent the tragic incidents that took place during this period is yet another proof that it is Turkey's presence that maintains peace and security on the island. However, there is a real problem with the mandate of the Force. Though UNFICYP has to function with the consent of the two sides on the island, in practice, relevant resolutions and mandates of UNFICYP are being formulated without the consent of the Turkish Cypriot side.

It should be borne in mind that it was the Turkish Cypriot people, with the support of Turkey, which overwhelmingly voted for the Annan plan. Therefore, it is ironic that the representative of an administration which campaigned for and achieved the rejection of the Annan plan, the embodiment of "a bicommunal, bizonal federation with political equality as set out in Security Council resolutions", blames Turkey "to be the reason why this problem remains unresolved". Instead of playing with words and claiming that the Turkish side desires a two-State solution, the Greek Cypriot side should come forth with the "mentality" change it advocates and honour the agreement of 23 May 2008 (S/2008/353, annex III) reached between the two leaders in the island which commits the two sides to "a Federal Government" with "a Turkish Cypriot Constituent State and a Greek Cypriot Constituent State, which will be of equal status". I would like to remind the Greek Cypriot representative that this agreement also refers to the establishment of a new "partnership". The leaders used this terminology after they both confirmed during the meeting that the 1960 arrangement was a partnership State and that the task before them now was to renew that partnership with a comprehensive settlement. Thus, the Greek Cypriot representative's claim that the 1960 Republic "was not a 'partnership State'", openly contradicts what his leader said on various occasions not only during the negotiations but before the public as well.

I would like to take this opportunity to state, once again, that the Turkish Cypriot side remains as committed as ever to finding a comprehensive settlement to the Cyprus issue on the basis of the established United Nations parameters and the United Nations body of work in 2009 under the United Nations Secretary-General's mission of good offices.

(*Signed*) M. Kemal **Gökeri**
Representative
Turkish Republic of Northern Cyprus

United Nations A/63/889–S/2009/322

General Assembly
Security Council

Distr.: General
22 June 2009
English
Original: Arabic

General Assembly
Sixty-third session
Agenda item 15
The situation in the Middle East

Security Council
Sixty-fourth year

Identical letters dated 17 June 2009 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations committed from 1 to 14 June 2009 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-third session of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Nawaf **Salam**
Permanent Representative

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Annex to the identical letters dated 17 June 2009 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Israeli violations, acts of aggression and other activities from 1 to 14 June 2009, inclusive

Air violations

On 1 June 2009:

- Between 0720 and 2040 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South and left over Naqurah.

- Between 1230 and 1335 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Beirut. It circled over the sea off Beirut, five miles from the shore, before leaving over the sea off Naqurah.

On 2 June 2009:

- Between 0705 and 2205 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah and flying north. It circled over the South, the Western Bekaa and Rashayya and left over Aytarun.

- Between 1420 and 1700 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Beirut and flying east. It circled over the sea off Beirut before leaving over the sea off Naqurah.

On 4 June 2009:

- Between 1840 and 2210 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Naqurah. It circled over the sea off Beirut, five miles from the shore, before leaving over the sea off Naqurah.

- At 0830 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South and left at 0020 hours on 5 June 2009 over Naqurah.

On 5 June 2009:

- Between 1845 and 1955 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over the sea off Beirut and flying east as far as West Beirut. It circled over the sea off Beirut before leaving over the sea off Naqurah.

On 6 June 2009:

- Between 1000 and 2125 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah and flying north. It circled over the South before leaving over Naqurah.

On 8 June 2009:

- Between 1210 and 1430 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah and flying north. It circled over the South before leaving over Alma al-Sha'b.

On 9 June 2009:

- Between 1635 and 2235 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Alma al-Sha'b. It circled over the South before leaving over Rumaysh.

On 10 June 2009:

- Between 1030 and 1150 hours, two Israeli enemy warplanes violated Lebanese airspace, entering over the Shab'a Farms and flying north as far as Beirut. They circled between Beirut and the South before leaving over the sea off Naqurah.

On 11 June 2009:

- Between 0715 and 2350 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah and flying north. It circled over the regions of the South, Riyaq and Baalbek and left over Naqurah.

On 12 June 2009:

- Between 0715 and 1345 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah. It circled over the South and left over Rumaysh.

On 13 June 2009:

- Between 0910 and 1645 hours, an Israeli enemy reconnaissance aircraft violated Lebanese airspace, entering over Naqurah and flying north as far as Nabatiyah. It circled over the South and left over Naqurah.

On 14 June 2009, eight Israeli enemy warplanes and three Israeli enemy reconnaissance aircraft violated Lebanese airspace as follows:

- At 1130 hours, four warplanes entered over Khiyam, flying north. They circled over the South and Beirut and left at 1200 hours over Alma al-Sha'b.

- At 1135 hours, two warplanes entered over Kafr Killa, flying north. They circled over all regions of Lebanon before leaving at 1240 hours over the sea off Tripoli.

- At 1255 hours, two warplanes entered over the sea off Sidon, flying south. They left at 1305 hours over Alma al-Sha'b.

- At 1022 hours, a reconnaissance aircraft entered over Naqurah, flying north. It circled over the regions of Damur, Sa'diyat and Beirut and left at 2120 hours over Kafr Killa.

- At 1857 hours, a reconnaissance aircraft entered over the sea off Tyre, flying north. It circled over the sea off Beirut, Rumaylah and Tyre and left at 2200 hours over Naqurah.

– At 2325 hours, a reconnaissance aircraft entered over Naqurah, flying north. It circled over the sea off Beirut and left at 0040 hours on 15 June 2009 over the sea off Naqurah.

Acts of aggression in the field

On 4 June 2009:

– At 2020 and 2022 hours, the Israeli enemy, from its position at Zaraghit, on two occasions directed a searchlight for an average of five seconds each time towards Lebanese territory.

On 5 June 2009, at 1430 hours, inside the Occupied Palestinian Territory facing the Kafr Killa-`Addusiyah road, workers repairing the road noticed an Israeli enemy patrol comprising two Hummer jeeps. The patrolmen shouted and brandished weapons at the workmen and a picture of Mr. Hassan Nasrallah.

On 9 June 2009, at 2220 hours, the Israeli enemy, from its position at Zaraghit, directed a searchlight for five seconds towards the Tarbikha Gate (Marwahin).

United Nations A/63/892–S/2009/323

General Assembly
Security Council

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23 June 2009

Original: English

General Assembly
Sixty-third session
Agenda item 17
The situation in Afghanistan

Security Council
Sixty-fourth year

The situation in Afghanistan and its implications for international peace and security

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 63/18, as well as Security Council resolution 1868 (2009), in which the Council extended the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) until 23 March 2010. In its resolution, the Security Council requested a report on developments in Afghanistan every three months. This report reviews the situation in Afghanistan and the activities of UNAMA since my report of 10 March 2009 (A/63/751-S/2009/135) and focuses on key developments over the reporting period.

II. Overview

2. In a strong political manifestation of support for Afghanistan, over 80 countries and organizations met in The Hague on 31 March, at the "International Conference on Afghanistan: a Comprehensive Strategy in a Regional Context" hosted by the Government of the Netherlands and co-chaired by the United Nations, Afghanistan and the Netherlands. I was pleased to attend personally, along with President Hamid Karzai and Prime Minister Jan Balkenende. The Conference called for greater efforts and clearer direction in addressing the challenges of Afghanistan. The priorities agreed at the International Conference in support of Afghanistan, held in Paris in June 2008, were reaffirmed. Statements made at the Conference demonstrated consensus on a more prioritized agenda for Afghanistan. In particular, it was agreed that well-funded and effective civilian capacity- and institution-building programmes were as important as capacity-building programmes in the security sector and had to be given priority attention in a more focused strategy. The Chairmen's Statement presented four priority areas: strengthened security, improved

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economic growth, good governance and enhanced regional cooperation, with detailed recommendations for each area.

3. The Conference emphasized the central role of UNAMA to coordinate international action and assistance in support of the Government of Afghanistan, as also reiterated by the Security Council in its resolution 1868 (2009) in March. In line with that resolution, which calls for the strengthened and expanded presence of UNAMA in the country, and to meet the expectations expressed at the Conference held in The Hague, the Mission is seeking to expand its presence into as many provinces as possible and to step up its efforts to coordinate international action and assistance. In May, UNAMA opened two new offices, in Tirin Kot and Sari Pul. Additional offices will be opened over the coming months.

4. Preparations for the 20 August elections accelerated during the reporting period. Following the voter registration update, the candidate nomination process was completed and the final list of candidates was published on schedule. Opposition candidates voiced concerns about the levelness of the electoral playing field. The Mission has worked with relevant Afghan institutions and with the international community to address these concerns. Gradually, human rights aspects of the election process are requiring greater attention.

5. The reporting period has seen continued progress in key areas, such as the expansion of the Afghan National Army and the Afghan National Police, as well as in the areas of agriculture, private sector development and capacity-building. Donor coordination has improved, including through a more effective use of the Joint Coordination Monitoring Board, co-chaired by UNAMA and the Government of Afghanistan.

6. The security situation has continued to deteriorate. While there has been improvement in some areas, notably in Kabul and its neighbouring provinces, the number of security incidents and the overall level of violence increased compared with the same months of last year.

III. Elections

7. The upcoming presidential and provincial council elections have been at the centre of attention in both the Afghan political establishment and the international community. The Independent Election Commission successfully adhered to its election timetable, despite political controversy and technical challenges. As mentioned in my previous report (A/63/751-S/2009/135), the voter registration update was completed without serious security incidents. In order to reach voters who were unable to register during this period, voter registration is being continued through the use of mobile teams in selected areas. According to the Commission, only nine of the 796 voter registration centres were unable to open owing to insecurity, though some had to be relocated to nearby districts. Approximately 4.5 million voters were registered during the registration update, 38 per cent of whom were women. Some irregularities, leading to possible multiple registrations, were reported during the registration process. The Commission is working with the United Nations Development Programme Enhancing Legal and Electoral Capacity for Tomorrow (UNDP-ELECT) project, the Organization for Security and Cooperation in Europe (OSCE) and other experts to mitigate the effect of these irregularities on polling day. Indelible ink, which is currently being tested in Kabul,

will be applied to the fingers of all those who have cast their vote to prevent multiple voting.

8. The candidate nomination process was successfully held between 25 April and 8 May. On 16 May, in accordance with the established schedule, the Independent Election Commission announced the preliminary list of 44 presidential and 3,324 provincial council candidates. In response to the initially low numbers of female candidates for provincial council seats, civil society groups and UNAMA made successful efforts to encourage women to register. When the nomination period closed, 341 women had registered as provincial council candidates. Of these, 13 have withdrawn their candidacy and 328 will run in the elections. This is 81 more women than in 2005. The nomination phase was followed by evaluations of candidate applications to ensure that they met the legal criteria, including vetting against links to illegal armed groups (see para. 14 below). The names of candidates disqualified or who withdrew their nominations during this period will not appear on the final ballot paper. The final list of candidates was released on 13 June, and includes 41 presidential candidates and 3,178 provincial council candidates. The election campaign period began on 16 June.

9. Controversies that dominated the political debate in early 2009 have been resolved. My Special Representative played an important role in this respect, holding extensive discussions with and promoting efforts to find common ground between Afghan authorities and political leaders as well as with the international community. The first such controversy related to the date of the elections. Following a request by President Karzai to hold elections before 22 May, in accordance with article 61 of the Constitution of Afghanistan, the Independent Election Commission reaffirmed its decision to hold elections on 20 August, mainly for operational reasons. This decision was then widely accepted by the President, the opposition and the international community.

10. The second related to the powers of the President after 22 May, when the Presidential term expired, in accordance with article 61 of the Constitution. In its opinion issued on 29 March, the Supreme Court ruled that President Karzai could remain in office with full powers after 22 May and until a new Presidential term began. The intense debate on this issue subsequently came to an end.

11. Opposition leaders strongly emphasized the importance of establishing a level playing field during the election campaign. They expressed doubts with regard to the ability of Afghan institutions to provide an environment conducive to credible elections. UNAMA is contributing to the efforts being made to address these concerns, as reflected in both the technical support for the election process and the political role the United Nations and the international community play in shaping the election environment.

12. The UNDP-ELECT project continued its close cooperation with the Independent Election Commission. The technical support provided included all aspects of the operational plan, logistical support, training, capacity-building and fund-raising to ensure donor financing for the electoral process, which has now entered the critical stage of procurement, distribution and preparations for the election campaign.

13. UNAMA initiated an extensive dialogue with candidates and with civil society to promote a credible election process. The Mission undertook a Verification of

Political Rights campaign in partnership with the Afghanistan Independent Human Rights Commission. The project focuses on four human rights (freedoms of expression, association, peaceful assembly and movement) and three fundamental principles (non-intimidation, non-partiality and non-discrimination). It will monitor all phases of the electoral process and make appropriate recommendations to the authorities. Special attention will be paid to factors constraining the ability of women to fully exercise their political rights. Public reports will be issued on the findings of this exercise. My Special Representative issued a set of essential guidelines applicable to conduct during the electoral process, summarizing existing Afghan regulations and international best practices and reminding candidates, their officials, agents, party members and supporters, as well as election staff, media and international representatives of their responsibilities to ensure an orderly election process.

14. The Electoral Complaints Commission was appointed and is establishing itself in the provinces. Three of the five Commissioners are international electoral or legal experts appointed by my Special Representative. The Commission has considered challenges to the eligibility of candidates and will continue to review and adjudicate complaints related to electoral offences. On 9 June, the Commission announced that 57 candidates, including two presidential contenders, were disqualified from running in the elections for not meeting the eligibility criteria. The Media Commission, established by the Independent Election Commission in May and composed of five Afghan Commissioners, is responsible for monitoring media reporting and coverage of the electoral campaign and addressing complaints.

15. President Karzai issued a decree on the non-interference of State officials in the electoral process in 2009, prohibiting any interference by Government institutions or officials in the election process. My Special Representative is engaged in a continuing dialogue with the President and other relevant members of the Government to ensure compliance with this decree.

16. The Joint Security Planning Group was established to streamline electoral security planning among the Afghan National Security Forces, the Independent Election Commission, the International Security Assistance Force, the Combined Security Transition Command-Afghanistan and the United Nations. The Planning Group is now addressing candidate security, movement planning for the distribution of election material and the establishment of provincial operations command centres, as well as conducting ongoing security assessments for proposed polling site locations.

17. The European Union has decided to send an election observation mission and the OSCE an election support team. My Special Representative urged both organizations to increase the level and scope of their participation. The Free and Fair Election Foundation of Afghanistan is planning to deploy close to 8,000 domestic observers throughout the country, covering about 70 per cent of the polling stations. Candidates are encouraged to register candidate agents, who will follow the electoral process. The presence of domestic and international observers can play an important role in enhancing the integrity and credibility of the electoral process. UNAMA is co-hosting an election observation working group, which will provide guidance and facilitate international and domestic observation.

IV. Security

18. The overall number of security incidents continued to rise during the reporting period, with May figures exceeding 1,000 for the first time since 2001. This year saw a 43 per cent increase in the monthly average number of security incidents, 740 of which rose from 519 in the first four months of 2008 to 740 during the same period in 2009. The rise in incident levels is due to increased fighting in traditional conflict areas in the south and east. Insurgent activities in previously stable areas, particularly in the north, also expanded. Over the past four months, there has been an increase in foreign fighters, most likely affiliated with Al-Qaida, engaged alongside the Taliban.

19. Amid this extremely complex reality, some progress has been achieved in key parts of the country. Coordination between the Afghan National Army, the Afghan National Police and the National Directorate of Security improved, resulting in a sharp decrease in security incidents in Kabul and the surrounding provinces, such as Wardak and Logar. Terrorist attacks have been thwarted. Around Kabul, additional international forces have been deployed, along with newly recruited Afghan forces. In addition, the number of incidents in Herat has decreased.

20. The free movement of unarmed civil servants continues to be adversely affected by the intensified fighting and the increased campaign of intimidation and assassination. The deliberate targeting of government officials and employees, religious scholars, civilian contractors of the Government and the aid community continued. Compared with the first four months of 2008, this reporting period has been marked by an increase in assassinations, abductions, incidents of intimidation and the direct targeting of aid workers, including United Nations national staff. The number of aid workers killed dropped sharply, however, with only one such case reported during the reporting period.

21. The number of complex and sophisticated attacks increased in the first four months of 2009 compared with the same period in 2008. Attacks were recently carried out on the Provincial Council and the Governor's compound in Kandahar in two separate incidents in April and the Khost Governor's compound and police headquarters in May. The deterioration of security in and around Kandahar city is of great concern. Security incidents reported within the city itself and the Daman district, where the airport is located, increased by 80 per cent compared with 2008. This includes a very sharp increase in incidents involving improvised explosive devices reported in the city. The Minister of the Interior has made the reform of the Kandahar police a priority, and is working to increase the number of officers by the end of July.

22. The United Nations has also been attacked. A UNAMA national staff member sustained serious injuries in the attack on the Kandahar Provincial Council. On 3 February, a United Nations convoy was ambushed north of Herat, and on 5 May, an improvised explosive device was detonated against a marked United Nations armoured vehicle in the city of Tirin Kot in the province of Uruzgan, fortunately not resulting in any casualties. On 8 June, a Food and Agriculture Organization of the United Nations compound was attacked in Kunduz, injuring two guards. The United Nations may not have been the intended target of these attacks.

23. The next period will likely experience an increase in the level of violence compared with the same period last year, including complex suicide attacks,

intimidation and assassinations carried out by insurgents. The significant increase in Afghan and international troops fighting the insurgents could also result in an increase in security incidents.

24. In coordination with the Independent Directorate of Local Governance and the International Security Assistance Force, UNAMA continued to pilot an integrated approach in the five districts identified as critical for immediate action. The Mission considers this approach to be a potentially significant contribution to stability in Afghanistan. It will be viable only if the Assistance Force and government authorities, in particular the Independent Directorate, provide equally dedicated support.

V. Afghanistan National Development Strategy and donor coordination efforts

25. Following the Paris Conference, UNAMA identified, in consultation with the Government and donors, five sectors that would be essential for Afghanistan's long-term economic growth, but have received insufficient attention from donors. These are: agriculture, energy, private-sector development, capacity-building and higher education and vocational training.

26. During the reporting period, encouraging progress was made in some of these priority areas, also reaffirmed at the Conference held in The Hague. The Joint Coordination Monitoring Board took important decisions at its eleventh meeting, held on 19 April and co-chaired by my Special Representative and Senior Minister Amin Arsala, concerning a new national agriculture strategy, police reform, and private-sector development. The meeting of the Board was preceded by meetings of the Board's Standing Committees, which had flagged these issues as being critical for the Board's attention.

27. The new National Agriculture Development Framework was developed under the leadership of the Afghan Ministry of Agriculture, Irrigation and Livestock, with support from the United Nations and the World Bank, to increase agricultural production, stimulate market development and create employment. The Minister presented five immediate priorities, which included the purchase of wheat seed for the next planting season, land leasing and access to credit. Also of particular importance is the new Comprehensive Agricultural and Rural Development Facility, which aims to reduce the threat of poppy production by increasing incentives for the cultivation of licit crops. Following the decision of the Joint Coordination Monitoring Board to endorse the overall programme and priorities, the Ministry is now conducting a gap assessment to stimulate and guide donor activities. UNAMA maintains a constant dialogue with the Ministry in an effort to bring donors together effectively in support of strong Afghan leadership.

28. The process of reforming and strengthening the Afghan National Police continued during the reporting period. The Ministry of the Interior is now taking serious steps to fight corruption, enhance administrative accountability and improve leadership and merit-based appointments. According to the Ministry, over 100 police officers were dismissed and many are under prosecution. Specialized teams were formed to assist the Ministry in building human resources management systems for the police. A social monitoring mechanism is being prepared, which

would allow elected bodies and civil society to play an oversight role of police performance at the local level.

29. The current challenges facing the Afghan National Police can be met only by increasing its size and improving training, mentoring and equipment. Following consultations between the Government and donors, the Joint Coordination Monitoring Board agreed on an interim increase of 4,800 police personnel for Kabul City. Furthermore, a second interim increase of 5,000 to 10,000 police personnel, for deployment in vulnerable provinces, was approved. The detailed plan to implement these decisions is being developed under the auspices of the International Police Coordination Board. It is critical that the increase in numbers is accompanied by further institutional reforms, in particular strengthened anti-corruption measures and improved selection and training procedures. This will require comprehensive support from the international community. A decision on the future size of the National Police Force is expected to be taken following the conclusion of a review conducted by the European Commission and supported by UNAMA. The review will focus on the precise needs of the Force and its numbers, specialization and geographical distribution.

30. Encouraging progress has also been made in private-sector development. At the meeting of the Joint Coordination Monitoring Board, the Minister of Commerce and Industry presented five priorities, ranging from transit-trade facilitation to licensing reform, investment promotion and value added processing. These priorities were supported by donors. The Board encouraged the Minister to present projects for funding as soon as possible.

31. In the area of capacity-building, standardization of a set of "common functions" — accounting, procurement, human resources, policy development and project management — in Government ministries was identified as the most pressing need. The Afghanistan Civil Service Institute, with support from donors, drafted a concept paper, which is now being developed into a project proposal. This work should also be coordinated with new efforts under the "civilian surge" (see below) in order to avoid duplication and the creation of competing, parallel structures.

32. With regard to higher and vocational education, UNAMA initiated work with the Ministries of Education, Higher Education, and Labour, Social Affairs, Martyrs and Disabled to identify gaps and imbalances that affect the entire educational system. Today, access to higher education and in particular to vocational education is severely limited, which, unless corrected, will have a serious negative impact on educational opportunities and economic growth. UNAMA intends to present a gap assessment together with the relevant Ministries.

33. During the reporting period, there was an increasingly constructive debate about donor coordination and aid effectiveness. The Minister of Finance, with UNAMA support, repeatedly emphasized the importance of aligning donor efforts behind the priorities stated in the Afghanistan National Development Strategy and the Final Declaration of the International Conference in Support of Afghanistan. The Minister appealed for adequate resources to meet priorities that are currently underfunded, such as agriculture and infrastructure. In order to ensure better coordination, several new mechanisms were established, including a peer review mechanism, which will allow the Government, UNAMA and donors to ensure coherence in resource allocation. This mechanism will oblige donors to present new

projects for review in order to improve synergies, avoid duplication and address shortcomings. The mechanism was launched at the Ministry of Public Health in early May and was introduced at the Ministry of Agriculture, Irrigation and Livestock later that month.

34. The Afghanistan National Development Strategy assumes that between 2008 and 2013, over 75 per cent of Afghanistan's budget will be financed by donors. This situation is unsustainable and illustrates the need for the Government to boost its own revenue collection. It is encouraging to note that the Ministry of Finance improved revenue collection, which in fiscal year 1387 (March 2008-March 2009) met stated targets for the first time.

35. On 10 June, UNAMA also launched a local procurement campaign with members of the Government, donors and a number of Afghan private-sector suppliers. This campaign is intended to encourage the international community to buy Afghan products and reduce reliance on more expensive imports, thereby creating employment in Afghanistan, stimulating economic growth and increasing revenue collection.

36. The Development Assistance Database in the Ministry of Finance is set up to receive information from donors about their development-related activities in all parts of the country. It is an essential tool to monitor, redirect and coordinate the total flow of resources. Currently, the database is being improved to better serve the needs of donors, the Government and UNAMA. Although UNAMA estimates that expenditures of between $700 million and $1 billion are still spent without being reported appropriately, there is growing awareness of the critical importance of proper reporting in order for aid effectiveness and coordination efforts to succeed.

37. The United Nations development assistance framework for Afghanistan was co-signed by the Minister of Economy and the United Nations Resident Coordinator on 28 May, following a consultation process with Government counterparts, donors and civil society organizations. The document sets the road map for the intervention of the United Nations system in Afghanistan from 2010 to 2013. Three priority sectors were identified: (a) governance, (b) sustainable livelihoods and (c) basic services. The Framework contains an important innovation: the creation of a "common fund" for projects that are jointly implemented by at least two United Nations agencies, funds or programmes, in one of six provinces identified as underserved. With donor support, it could contribute to addressing the significant imbalance in assistance provided to more stable but underserved provinces compared with unstable provinces.

38. The Conference in The Hague was the first international meeting after the presentation by the United States of America of its strategic review for Afghanistan and Pakistan. The review was well-received by Conference participants, who accorded particular praise for the proposed increase in civilian experts to support the Government of Afghanistan and build Afghan expertise at the national and subnational levels.

39. The United Nations also welcomed this proposed "civilian surge", which responds to the repeated calls for a massive institution-building programme by my Special Representative. Following the Conference in The Hague, a comprehensive plan was produced by the Government of Afghanistan in record time, laying out specific needs in terms of types of skills required and geographical priorities. The

plan emphasized that any "civilian surge" must be based on Afghan ownership, so that assistance fits into Afghan structures and priorities, creating a lasting expansion of Government presence and not merely a temporary expansion of foreign presence. Any increase in foreign civilian expertise must be demand-driven and result in sustainable capacity development, and its effectiveness must be measurable and monitored. The Government's plan and a letter from UNAMA describing available mechanisms for the rapid and effective deployment of civilian experts were shared with the international community. The Government is now developing a priority plan and mechanisms to implement the "civilian surge". UNAMA will continue to cooperate closely with the Government in this regard.

VI. Governance

40. A number of governance-related developments have been addressed above. Progress has also been made in the Government's overall work to fight corruption. Following the Government's endorsement of the anti-corruption strategy prepared by the Chief Justice, a specialized anti-corruption unit consisting of 15 prosecutors began work in the Office of the Attorney-General on 1 April. The United Nations is assisting the unit in developing internal guidelines for its operations. The High Office of Oversight for the Implementation of the Anti-Corruption Strategy recently created to coordinate the Government's anti-corruption effort and supported by the United Nations, is developing anti-corruption action plans with the Ministries of the Interior and Finance. Both Ministries have taken disciplinary and legal actions against corrupt officials. At the same time, the Government requested all its senior officials to declare their assets and sources of income. The High Office will maintain a database of this information. Officials who cannot account for their sources of income will face an investigation.

41. Despite these positive measures, the institutional framework, and in particular the legislative framework, for managing corruption cases is incomplete. Donors have requested UNAMA to lead their efforts to support the High Office in revising the anti-corruption law.

VII. Regional cooperation

42. Increased attention has been turned to regional cooperation as an indispensable component of resolving the conflict and generating economic growth in Afghanistan. Several conferences devoted to regional cooperation took place over the past six months, including in Paris, Brussels, Tehran and Islamabad. On 27 March, I attended the Special Conference on Afghanistan in Moscow, convened under the auspices of the Shanghai Cooperation Organization. During the Conference, member States of the Cooperation Organization issued a statement and adopted a plan of action stressing the importance of concerted efforts in the region to counter terrorism, illicit narcotics and organized crime. Another conference on regional issues will take place in Trieste, Italy on 26 and 27 June under the auspices of the Group of Eight.

43. Further progress has been made in the bilateral dialogue between Afghanistan and Pakistan. A number of meetings have taken place between the two Presidents and key ministers, including in Ankara on 1 April and in Washington, D.C., on

6 May. Development, trade, agriculture, military and intelligence issues were discussed in bilateral and trilateral formats. Encouraged by constructive talks in Washington, D.C., Afghanistan and Pakistan committed to sign a transit trade agreement no later than 31 December 2009.

44. The Presidents of Afghanistan, the Islamic Republic of Iran and Pakistan met in Tehran on 24 May, following a meeting of their Ministers for Foreign Affairs in Kabul on 27 April. The three Presidents adopted a declaration in which they confirmed their commitment to join efforts in the fight against terrorism, support trilateral economic projects and counter the production and trafficking of narcotics.

45. As mentioned in my previous report, donors attending a meeting of Ministers for Foreign Affairs on Afghanistan hosted by France in December 2008, agreed to identify specific and concrete regional projects to stimulate Afghanistan's economic development. These projects were presented to the Third Regional Economic Cooperation Conference on Afghanistan in Islamabad in May 2009. UNAMA, working closely with the European Commission, played a leading role in identifying projects and donors to fund them. The Final Declaration of the Conference lists specific projects and responsible donors. This demonstrated the international community's resolve to address the issue of regional coordination for Afghanistan. One of the agreed projects was the creation of a secretariat in the Afghan Ministry of Foreign Affairs to follow up on all regional initiatives, which reflects the recognition that the numerous regional cooperation initiatives that have emerged over the past several months must be developed in a coordinated manner.

VIII. Human rights

46. In addition to the election-related human rights activities mentioned above, UNAMA assisted Afghan journalist unions and media organizations in developing a plan to improve access to information and ensure justice and accountability in cases of attacks and killings of journalists and civil society actors. The Kabul Declaration on Freedom of Expression in Afghanistan, adopted on 30 March, constitutes an agenda for collective action to promote and protect freedom of expression in Afghanistan.

47. A major human rights issue during the review period was the Shia Personal Status Law, signed by the President in March 2009. The law contained provisions potentially endorsing discriminatory practices against women, which ran counter to the basic human rights principles that the Government of Afghanistan had adopted. These include the tacit acceptance of child marriage, the granting of guardianship of children to fathers and paternal grandfathers, the duty of the wife to submit to her husband's sexual demands, and the requirement that a wife cannot leave her home without her husband's permission. Following national and international expressions of concern, including by the High Commissioner for Human Rights, the President requested a review of the law.

48. UNAMA recorded 800 civilian casualties between January and May 2009, mostly in the south, south-east and eastern regions of the country. This represents an increase of 24 per cent over the same period in 2008, when 646 civilians were killed. According to UNAMA figures, 55 per cent of these deaths were caused by anti-Government elements and 33 per cent by international and Afghan forces (the remaining 12 per cent could not be attributed to any of the parties to the conflict).

The use of improvised explosive devices by the insurgency, which by their nature are indiscriminate, increased during the reporting period.

49. It should be reiterated that most civilian casualties stem from the activities of the Taliban and terrorist groups, deliberately targeting civilians. On the other hand, international forces issued tactical directives and other measures to minimize the impact of operations on non-combatants. Nevertheless, civilian casualties attributed to pro-Government forces continue to be reported at similar levels as for the same period in 2008, with air strikes being the single largest cause. Air strikes on 4 May 2009 in Bala Baluk district, Farah province, caused significant loss of civilian life, including many women and children. This incident once again called into question the continued use of air strikes in populated areas, given the inherent risk they pose to civilian life.

IX. Humanitarian situation

50. Despite heavy snowfall in the north-east and the Central Highlands, which caused avalanches, landslides and road blockages, this past winter was comparatively mild. The few humanitarian interventions that were required enjoyed good coordination on the ground between the United Nations, the Government of Afghanistan, non-governmental organizations and other partners. In accordance with the policy note on Coordination and Intervention in Humanitarian Assistance, endorsed in January 2009, provincial reconstruction teams assisted with logistics as a last resort at the request of the local authorities.

51. The coordination structure established to manage the winter response was put to the test in mid-April, when two earthquakes struck the Nangarhar province in eastern Afghanistan, killing 22, wounding 59 and leaving 650 families homeless. Local authorities, the Afghan National Disaster Management Authority, the United Nations and the Ministry of Public Health provided emergency assistance.

52. Over the reporting period, heavy rains and flash floods have destroyed houses and property across many regions, inundating more than 17,000 acres of farmland, killing over 10,000 head of livestock and destroying bridges and roads. United Nations agencies, non-governmental organizations and other partners have worked closely with local authorities to provide assistance to the affected population.

X. Observations

53. **The first six months of 2009 have witnessed the beginnings of three interlinked strategic shifts in Afghanistan. The first shift involves an increased emphasis on civilian efforts, which is a manifestation on the ground of what has been agreed in conference halls: that military means alone will not lead to success in Afghanistan. The second shift is a new focus on subnational governance and service delivery, predicated on the recognition that insecurity feeds on weak governance and the disillusionment of the population. The final strategic shift is the alignment of international efforts behind well-conceived Government programmes in key sectors — in other words, the essence of the aid effectiveness agenda.**

54. These are all developments of great significance. If the positive trends described in the present report can be sustained, then there is a possibility for a major improvement in the situation in Afghanistan.

55. These encouraging developments coincide with a difficult overall political and security situation. The election campaign period has now begun and will absorb political energy and attention. Furthermore, Afghanistan is currently in what may well be its most intense fighting season since 2001. Thus, it will be challenging to maintain the positive momentum gained in a number of critical sectors. If that momentum is lost, the country will at best lose valuable time and at worst experience new disappointments and setbacks, leading to further disillusionment in the Afghan public and the international community.

56. Therefore, I appeal to all members of the international community to put their full weight behind the positive developments in order to maintain momentum through the complex period ahead. This means giving urgent and strong support to the effective national programmes being presented in key sectors. This backing will not only have significant effects in long-neglected key sectors, but it will also set examples for other important areas, such as long-standing concerns relating to corruption and crime, poppy production and food insecurity. Ultimately, it will make a substantial contribution to the goal of achieving lasting stability. The Government of Afghanistan, in turn, must do its utmost to continue this work, building on the momentum created in the period leading up to the elections.

57. This summer will also see an increase in the number of international forces in Afghanistan. Such additional forces are required, not only to contribute to security for the elections, but also to further accelerate the strengthening of the Afghan National Army. Additional international forces will mean a more intense fight against the insurgency. It is critical that this fight be conducted in a way that weakens the terrorist threat and boosts popular support. I am profoundly concerned about the risk posed by an increase in civilian casualties and by a type of military conduct that alienates the population from the international community. More than ever, we need the solid and continued support of the Afghan people for the presence of the international community in Afghanistan, both civilian and military.

58. I welcome the deployment of additional troops. However, every effort must be made to avoid a situation where more troops and more fighting lead to more civilian casualties and behaviour that offends the population. Special forces operations must be urgently reviewed and efforts made to "Afghanize" these operations. Also urgent is the need to review the use of air power in populated areas. These reviews should consider all options and their possible implications. Furthermore, I urge military authorities to provide adequate and ongoing training of military personnel to avoid, to the extent possible, practices that lead to the loss of civilian life and the alienation of the population, which would overshadow any positive trends.

59. It is of critical importance that the international civilian and military presence maintains its broad multinational character. Today, we see the results of that presence. The progress described in the present report is attributable to competent Afghan ministers and officials, but would not have been possible without a broad international presence on the ground. To maintain momentum,

we must also maintain our broad presence. Now is not the time to scale back, but to further our efforts in a coordinated way that benefits the entire country.

60. For UNAMA to fulfil the central role assigned to it by the Security Council and reaffirmed at the Conference in The Hague, it must be given adequate resources to address the strategic shifts referred to above. Participants at The Hague called for a further expansion of the Mission's presence, in line with Council resolution 1868 (2009). This call recognizes the value of the Mission's regional and provincial offices, which can support the "civilian surge", promote reform efforts and promising national programmes and priorities, and continue to work with local government, civil society and other actors to advance the subnational agenda. UNAMA has eight regional offices and 12 provincial offices, including two new offices opened in May, and budgetary resources for three additional offices scheduled to be opened soon. To have a presence in each province in Afghanistan, UNAMA would need additional resources, including for security when necessary, to establish 11 more offices.

61. The present report has given some examples of UNAMA's strengthened role in aid coordination, a role that aims to catalyse Afghan and international partners so that donor decisions in each sector are made on the basis of technically sound and Afghan-owned sectoral strategies. In order to continue identifying gaps and to encourage the Government and donors to fill those gaps, UNAMA will need to further strengthen its aid coordination capacity in 2010.

62. UNAMA has made an extraordinary effort to use the additional resources made available to the Mission in its 2009 budget as efficiently and expeditiously as possible, including through an intense and successful recruitment campaign. I have recently appointed two new Deputy Special Representatives to ensure UNAMA's continued united efforts under the overall guidance of my Special Representative. To secure the gains made in 2009, and to meet the expectations placed on the United Nations by donors and Afghans alike, it is my strong conviction that the Mission will need to be strengthened even further in 2010. In fact, even before submission of the 2010 budget, it is clear that increased resources, including additional funds, are necessary. Practical ways are being explored to respond to the three strategic shifts by identifying the key elements that must be addressed immediately.

63. In its resolution 1868 (2009), the Security Council requested that benchmarks be developed to measure progress in the implementation of UNAMA's mandates and priorities. However, given the focused attention on preparing for the elections and on the Conference at The Hague, it has proved impossible to complete the inclusive and meaningful consultations needed to fully conduct this exercise. I therefore propose to include a finalized set of benchmarks in my next report, due in September 2009.

64. It is currently envisaged that the benchmarks, indicators of progress and metrics would focus on broad areas reflecting the goals of the agreed national strategies and drawing on UNAMA's mandate as formulated in Security Council resolution 1868 (2009). These include institution-building, security, economic and social development, as well as cross-cutting issues that heavily influence progress in the other areas. It is envisaged that the benchmarks will

be results-based and, in general, not tied to target dates. In formulating the benchmarks, it is noted that, although in some areas UNAMA has the capacity to monitor progress, the responsibility to actually make that progress rests or is shared with Afghan and/or international counterparts.

65. As mentioned above, the finalization of this exercise depends, first and foremost, on ensuring an appropriate consultation process with the Government of Afghanistan and international stakeholders. Such a consultation process has begun. I am grateful that several members of the international community have informed UNAMA of their readiness to contribute to this process. I encourage the Government and the international community to support UNAMA in this endeavour.

66. I would like to thank my Special Representative, Kai Eide, for his determined efforts and dedication and express my gratitude to all the women and men of UNAMA for their tireless work under difficult circumstances. I also thank the Mission's partners, including the United Nations country team, Member States and the International Security Assistance Force, as well as humanitarian and other international partners, for the staunch support that they continue to lend to UNAMA.

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Letter dated 16 June 2009 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council

I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council which will be held on Friday, 26 June 2009, regarding the protection of civilians in armed conflict.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer

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